

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN GUARINI,

Defendant.

Civil Action No.: 09-637 (JLL)

**ORDER**

Currently before the Court are various motions *in limine* made by the Defendant and the Government. The Court held a hearing on these motions on May 27, 2010. The Court has considered the submissions of the parties and the arguments made at the hearing, and, for the reasons set forth on the record at the May 27 hearing,

It is on this 18 day of June, 2010,

**ORDERED** that Defendant's motion to dismiss Counts 1-5 of the superseding indictment as insufficient under the Hobbs Act is DENIED; and it is further

**ORDERED** that Defendant's motion to dismiss the indictment based on outrageous government conduct is DENIED; and it is further

**ORDERED** that Defendant's motion to compel the Government to provide any exculpatory evidence it possesses is DENIED as moot. The Government is under a continuing obligation to comply with its Brady requirements and has represented that it will so comply; and it is further

**ORDERED** that Defendant's motion for discovery of the prosecution's instructions on

the law given to the Grand Jury is DENIED; and it is further

**ORDERED** that Defendant's motion for immediate disclosure of any 404(b) it intends to introduce is DENIED. Pursuant to this Court's prior Order, the Government shall disclose its intention to use such evidence at least ten (10) days prior to trial; and it is further

**ORDERED** that Defendant's motion for an evidentiary hearing regarding any 404(b) evidence is DENIED as premature; and it is further

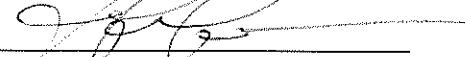
**ORDERED** that any Jencks or Giglio material not already produced shall be produced by the Government at least one (1) day prior to the testimony of each witness. The Government has agreed to produce Jencks material related to Solomon Dwek at least one week prior to trial. Defendant shall produce any reverse Jencks material at least one (1) day prior to testimony of each witness; and it is further

**ORDERED** that Defendant's motion for additional discovery is DENIED as moot. The specific discovery requests made by Defendant are covered by the general discovery guidelines ordered in this case. The Government has represented to this Court that it will abide by its obligations; and it is further

**ORDERED** that Defendant's motion for the preservation of government agent rough notes is GRANTED; and it is further

**ORDERED** that the Government's motion for reciprocal discovery is GRANTED; and it is further

**ORDERED** that neither party shall file any additional motions without prior leave of this Court; and it is further

  
JOSE L. LÍNARES,  
UNITED STATES DISTRICT JUDGE